

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

**RANDALL SMITH,**

CIVIL No. 06-2091 (ADM/AJB)

PLAINTIFF,

v.

**FEES**

**ORDER ON PLAINTIFF'S MOTION FOR  
UNDER THE SOCIAL SECURITY ACT**

**MICHAEL J. ASTRUE, COMMISSIONER OF  
SOCIAL SECURITY,**

DEFENDANT.

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Jennifer G. Mrozik, Attorney for Plaintiff Randall Smith

Lonnie F. Bryan, Assistant United States Attorney for the Commissioner

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Based upon the Report and Recommendation by United States Magistrate Judge Arthur J. Boylan dated June 10, 2008, with all the files and records, and no objections having been filed to said Recommendation,

**THE COURT HEREBY ORDERS** that:

1. Plaintiff counsel's Motion for Attorney's Fees under the Social Security Act [Docket No. 39] is **granted**;
2. Counsel is awarded attorney's fees under 42 U.S.C. § 406(b) for her representation of Plaintiff in Federal Court in the amount of \$30,066.50;
3. The attorney's fees approved herein shall be paid to counsel, Jennifer G. Mrozik, Northwest Disability Services, 1611 West County Road B, Suite 106, Roseville, MN 55113 from the funds withheld from past-due benefits of Plaintiff by the Social Security Administration for payment of attorney's fees; and

4. The balance of the funds (\$3,770.00) previously awarded for attorney's fees under the Equal Access to Justice Act ("EAJA") shall be released to Plaintiff by the Social Security Administration.

Dated: June 24, 2008

s/Ann D. Montgomery

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Ann D. Montgomery  
District Judge  
United States District Court